

BOULT  
CUMMINGS  
CONNERS  
& BERRY

REC'D TN  
PLC  
REGULATORY AUTH.

Henry Walker  
(615) 252-2363  
Fax: (615) 252-6363  
Email: hwalker@bccb.com

LAW OFFICES  
414 UNION STREET, SUITE 1600  
POST OFFICE BOX 198062  
NASHVILLE, TENNESSEE 37219

MAR 16 PM 4 29

TELEPHONE (615) 244-2582  
FACSIMILE (615) 252-2380  
INTERNET WEB <http://www.bccb.com/>

EXECUTIVE SECRETARY

March 16, 2001

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

Re: Proceeding to Establish "Permanent Prices" for Interconnection  
and Unbundled Network Elements  
Docket No. 97-01262

Dear David:

Enclosed are the original and thirteen copies of the Comments of Southeastern Competitive Carriers Association regarding BellSouth Telecommunications, Inc.'s interconnection tariff.

Sincerely,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

Henry Walker

HW/nl  
Enclosure  
cc: Parties of Record

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:        PETITION TO CONVENE A CONTESTED CASE PROCEEDING TO  
ESTABLISH PERMANENT PRICES FOR INTERCONNECTION &  
UNBUNDLED NETWORK ELEMENTS  
DOCKET NO. 97-01262**

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**COMMENTS OF SOUTHEASTERN COMPETITIVE CARRIERS ASSOCIATION ON  
BELLSOUTH TELECOMMUNICATIONS, INC.'S INTERCONNECTION TARIFF**

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The Southeastern Competitive Carriers Association ("SECCA") submits the following comments concerning the interconnection tariff filed by BellSouth Telecommunications, Inc. ("BellSouth") in the above-captioned proceeding.

Section C1.1C of the tariff states that CLECs must "execute a Notice of Election to purchase UNEs or services under this Tariff." Furthermore, by executing such a Notice of Election, the CLEC "agrees to all of the rates, terms and conditions set forth herein." In other words, any CLEC wishing to purchase a UNE at the cost-based price listed in the tariff must also agree to accept all of the "terms and conditions" in the tariff.

The "terms and conditions" include: (a) access to loop and transport combinations only where the loop and transport elements are "currently combined" and only the combinations listed in the tariff (Section 4.3.2); (b) access to port and loop combinations only if the port and loop are "currently combined in BellSouth's network" and only the combinations listed in the tariff (Section 4.4.1); (c) reciprocal compensation for all local traffic except "traffic that originates from or is directed to or through an enhanced service provider or information service provider, (Section 5.1.1.2); and (d) a CLEC is obligated to provide BellSouth with forecasts of trunking requirements

but BellSouth is not bound by any such forecast and cannot be penalized for failure to provide the trunks requested by the CLEC (*i.e.*, no binding forecasts) Section 3.7.

As BellSouth is aware, each of these requirements is at odds with rulings made by the Authority in various arbitration proceedings.<sup>1</sup> BellSouth has not made even a minimal effort to conform the tariff to the Authority's rulings but has placed the burden of "correcting" the tariff on the Authority and the CLECs.

SECCA suggests that the TRA take the following steps: (1) reject the entire tariff except the "Tennessee Price Schedule", (2) approve the Price Schedule, effective immediately, and (3) in approving the Price Schedule, issue an order explaining that every item in the Price Schedule is available to any CLEC which has an interconnection agreement with BellSouth and that, consistent with the Authority's prior orders, a CLEC may order UNE combinations "throughout BellSouth's Tennessee network" whether or not the combinations currently exist.<sup>2</sup> Finally, to the extent applicable and to the extent not inconsistent with other TRA decisions, all other terms and conditions associated with the purchase of UNE's in the tariff should be those terms and conditions that are contained in each CLEC's TRA-approved interconnection agreement.

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<sup>1</sup> Since BellSouth's proposed tariff appears to be nothing more than the current version of the company's regional interconnection agreement, there are undoubtedly other provisions in the tariff that are inconsistent with TRA decisions.

<sup>2</sup> See "Clarification of Final Order of Arbitration," in *Petition by ICG Telecom Group, Inc. for Arbitration*, docket 99-000377, November 27, 2000 at p. 2.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: \_\_\_\_\_

Henry Walker

414 Union Street, Suite 1600

P.O. Box 198062

Nashville, Tennessee 37219

(615) 252-2363

*Attorney for Southeastern Competitive Carriers Association*

## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been hand delivered or mailed to the following persons on this the 16<sup>th</sup> day of March, 2001.

James P. Lamoureux  
AT&T  
1200 Peachtree Street, NE  
Room 4048  
Atlanta, GA 30309

Val Sanford  
Gullett, Sanford, Robinson &  
Martin, PLLC  
230 4th Avenue North, Third Floor  
P. O. Box 198888  
Nashville, TN 37219-8888

Guy M. Hicks  
Bellsouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

Charles B. Welch, Jr.  
Farris, Mathews, Gilman,  
Branan & Hellen, P.L.C.  
511 Union Street, Suite 2400  
Nashville, TN 37219

L. Vincent Williams  
Consumer Advocate Division  
Cordell Hull Building, Second Floor  
426 Fifth Avenue North  
Nashville, TN 37243-0500

H. LaDon Baltimore, Esq.  
Farrar & Bates, LLP  
211 Seventh Avenue North, Suite 320  
Nashville, TN 37219-1823

William C. Carriger, Esq.  
Strang, Fletcher, Carriger, Walker, et al.  
400 Krystal Bldg., One Union Square  
Chattanooga, TN 37402-2514

Benjamin W. Fincher, Esq.  
Sprint Communications Company  
3100 Cumberland Circle  
Atlanta, GA 30339

Jon Hastings, Esq.  
Boult, Cummings, Conners & Berry, PLC  
414 Union Street, Suite 1600  
Nashville, TN 37219

Dana Shaffer, Esq.  
XO Tennessee, Inc.  
105 Malloy Street, #300  
Nashville, TN 37201

Julie Strow  
Intermedia Communications  
3625 Quenn Palm Dr.  
Tampa, FL 33619

Carolyn Tatum-Roddy, Esq.  
Sprint Communications Co., LP  
3100 Cumberland Circle  
Atlanta, GA 30339

Kenneth Bryant, Esq.  
Trabue, Sturdivant & DeWitt  
511 Union Street, Suite 2500  
Nashville, TN 37219-1738

James B. Wright, Esq.  
United Telephone-Southeast  
14111 Capitol Blvd.  
Wake Forest, NC 27587

  
Henry Walker